

imitation of condensed milk, and was offered for sale and sold under the distinctive name of another article, to wit, condensed milk.

On May 29, 1919, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

E. D. BALL,

*Acting Secretary of Agriculture.*

**7055. Adulteration and misbranding of Cacapon Water. U. S. \* \* \* v. 139 Gallons of Cacapon Water. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 9605. I. S. No. 13740-r. S. No. E-1204.)

On January 17, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 139 gallons of Cacapon Water, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on December 18, 1918, by the Capon Springs Co., Capon Springs, W. Va., and transported from the State of West Virginia into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal and vegetable substance.

Misbranding of the article was alleged for the reason that it was labeled, "For many diseases, including some thought incurable \* \* \* 100% Efficient \* \* \* Cacapon Healing Water \* \* \* for Bright's Disease, Kidney Troubles, Indigestion, Diabetes, Calculi, Rheumatism, Women's Diseases, Stomach Troubles, Dyspepsia, Uric Acid, Gout, Urethral and Uterine Troubles \* \* \* Tonic, Alterative \* \* \* Has cured for Centuries," when, in truth and in fact, said statements were false and fraudulent, and the product was not capable of producing the curative and therapeutic effects claimed for it.

On February 21, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL,

*Acting Secretary of Agriculture.*

**7056. Adulteration of catsup. U. S. \* \* \* v. 500 Cases of Catsup. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 9606. I. S. No. 5676-r. S. No. C-1030.)

On January 17, 1919, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 500 cases, each containing 6 cans of tomato catsup, at St. Paul, Minn., alleging that the article had been shipped on or about April 3, 1918, by the Van Alen Canning Corporation, Ogden, Utah, and transported from the State of Utah into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Banner Brand Catsup. \* \* \* Packed by the Van Alen Canning Corporation, Ogden, Utah."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed vegetable substance.

On June 25, 1919, the said Van Alen Canning Corporation, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered,